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The rule of law at the national and international levels

General and complete disarmament: implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Letter dated 6 September 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith aides-memoires from the Russian Federation (see annexes I and II),* together with a statement (see annex III)* and comments (see annex IV)* from the Ministry of Foreign Affairs of the Russian Federation dated 5 September 2018, on the situation surrounding the incident in Salisbury, United Kingdom of Great Britain and Northern Ireland on 4 March 2018.

In that connection, I should like to draw your attention to the proposals of the Russian Federation concerning enhancement of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, which have been circulated as a document of the General Assembly and of the Security Council (A/72/841-S/2018/371).

I should be grateful if you would have the present letter and its annexes circulated as a document of the General Assembly, under agenda items 84 and 99 (l).

(*Signed*) V. **Nebenzia**

* The annexes are being circulated in the languages of submission only.

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Annex I to the letter dated 6 September 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English and Russian]

Aide-memoire

The Russian Federation strongly rejects all unsubstantiated accusations of involvement in the toxic chemical poisoning of Russian citizens Sergei and Yulia Skripal in Salisbury in March 2018, which were made yet again by prime minister Theresa May in her statement to the British parliament on 5 September 2018. We urge the British side to show restraint. We reiterate our readiness to hold consultations in accordance with the Bilateral Consular Convention of 2 December 1965 and the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959.

Once again, we state, with full responsibility, that the allegations by the official British authorities that Russia is the only country that had and still has "the technical means, operational experience and motive" to carry out such acts with the use of chemical agents are absolutely groundless and designed to mislead the world community.

The Russian Federation has never developed, produced or stockpiled the toxic chemicals that have become known in the Western countries as "Novichok".

The term "Novichok", as well as data on the structure and mass-spectrum of that chemical compound, first appeared in foreign specialized literature and relevant data bases owing to input of Soviet defectors who had been barely involved in the USSR's former military chemical programme. Besides, a number of other states, including the United Kingdom and, more specifically, the ministry of defence's laboratory at Porton Down, did similar researches. This fact is of particular importance for understanding the events around the "Skripal Case", which London instigated against Russia, and the subsequent incident with the poisoning of British nationals in Amesbury.

The Russian Federation calls on all states to take a responsible and clearheaded approach to this situation and to support the call upon the British government to start consultations with the Russian Federation in accordance with the Chemical Weapons Convention and the two conventions mentioned above.

Annex II to the letter dated 6 September 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English and Russian]

On the "Novichok" Toxic Chemicals Class

The Soviet Union was one of the originators of the Chemical Weapons Convention (CWC) and has consistently supported the swift implementation of its provisions.

A number of initiatives to enhance transparency of the Soviet chemical warfare program had been undertaken even before the finalization of the text of the CWC. Among those was the Memorandum of Understanding between the Government of the USA and the Government of the USSR Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition of Chemical Weapons (Wyoming Memorandum of Understanding), signed in September 1989. With a view to implementing that instrument, the Parties exchanged data on the national stockpiles of chemical weapons and their storage locations and later in 1990–92 organized reciprocal visits of experts to the respective Soviet/Russian and US facilities.

As the legal successor and continuer of the Soviet Union, the Russian Federation has always advocated the complete prohibition of chemical weapons and has consistently reaffirmed its commitments in that regard.

Russia was among the first States to sign the CWC on January 13, 1993, and proceeded without delay to its implementation despite the financial and economic difficulties of state development in the post-Soviet period. All national stockpiles of chemical weapons and its production facilities were declared in strict accordance with the provisions of the Convention. Russia produced no chemical weapons other than the declared ones.

The destruction of all Russia's stockpiles of chemical weapons was conducted under strict international supervision. The laborious process was concluded on September 27, 2017. On October 11, 2017, the Director General of the OPCW Technical Secretariat certified the completion of the destruction of the Russian Federation's chemical weapons.

As for the chemical which became known as "Novichok" in the West, information on its structure and mass spectrum was first found in the mass spectral database of the American Institute of Standards in 1998 (NIST 98). It was stated that data on the agent had been provided by the US Army Edgewood Research, Development and Engineering Center. Later on, a class of toxic agents that do not fall within the CWC scope was formed based on the said chemical.

Since the mid-1990s, about 20 Western states have been involved in research activities on organophosphates of the "Novichok" class, including on their production methods and lesion effects. Structures of at least one hundred chemicals somewhat related to the "Novichoks" have been quoted in foreign scientific publications. Most of those have been indexed in the American Society Chemical Abstract System, which means that they were synthesized and then registered in the CAS database.

The US alone has issued more than 140 patents related to use of "Novichok" chemical warfare agents and protection against exposure to them.

Former British Foreign Minister Boris Johnson in his interview with Deutsche Welle on 20 March 2018 confirmed that the Porton Down laboratory also possessed a specimen of such a toxic agent. That enabled the laboratory to identify the toxic

chemical agent in samples collected in the aftermath of the Salisbury incident on 4 March 2018.

In view of the fact that methods to obtain chemicals of the "Novichok" class are widely available in Western countries, where there are high-technology chemical laboratories, it seems particularly difficult to determine exactly which country the type of substance found in Salisbury originates from. The report of the OPCW Technical Secretariat on technical assistance provided to the United Kingdom following the incident in Salisbury also fails to identify the country of origin.

At the 59th Meeting of the OPCW Executive Council (the Hague, 18 April 2018), the Russian Federation, as a responsible State Party to the CWC, recommended that, in order to enhance the Convention, the Director-General of the OPCW Technical Secretariat should prepare and submit to the Council a draft decision providing for the beginning of practical work to amend the Annex on Chemicals, in accordance with paragraph 5 of Article XV of the CWC (document EC-M-59/NAT.4 of 18 April 2018).

In May 2018, the Russian Federation sent to the OPCW Technical Secretariat its proposals to include nearly one thousand new items in the lists of controlled chemicals. We are convinced that this step would contribute to further consolidation of the regime of non-proliferation and elimination of chemical weapons.

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8. U.S. Patent WO 2011/137317, USA.

9. U.S. Patent US 9,200,877B1, USA.

Annex III to the letter dated 6 September 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English and Russian]

Russian Foreign Ministry Statement

British Prime Minister Theresa May's remarks at the British Parliament on September 5 regarding the Skripal case and the poisoning of two British nationals in Amesbury were delivered in an absolutely unacceptable tone. They contain a number of presumptuous accusations against Russia and two allegedly Russian citizens. We strongly reject these insinuations.

In particular, we took note of her saying that "only Russia had the technical means, operational experience and motive to carry out the attack." This statement was made immediately after the release in The Hague on the previous day of a report by the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons (OPCW) on the results of the work of this organisation's experts at London's request in connection with the Amesbury incident.

The report, in particular, says that the results of the analysis of the environmental and biomedical samples taken by the OPCW experts confirm the British findings about the nature of the toxic chemicals that poisoned two British citizens in Amesbury. It's a nerve agent by chemical composition — the same substance that was found in the samples collected by the investigation into the poisoning of the Skripals and police officer Nick Bailey in Salisbury on March 4. Interestingly, the report says nothing about the origin of this nerve agent. The term "Novichok", which was offhandedly put into circulation by the British political manipulators, is not mentioned, either.

Again, we emphasise that neither the OPCW, nor the British laboratory in Porton Down are in a position to determine the country of origin of the poisonous agents from Salisbury and Amesbury. Work on such chemical compounds has been underway for several decades now in a number of countries, including the United States, Great Britain, Germany, Sweden, the Czech Republic and the Netherlands. This is evidenced by the information from open sources obtained during independent investigations. We repeat this for those who may have a short memory.

This topic requires careful consideration by the OPCW. We call on the Technical Secretariat of the Organisation to take a very careful look at the information coming from the states parties to the Convention in response to its request regarding chemicals not controlled by the CWC. Back in May, Russia officially submitted a 400-page document listing about 1,000 new types of nerve agents that would be useful to consider from the point of view of amending the CWC Chemicals Supplement. We are interested to find out how much of such information came from the countries that so peremptorily associate the notorious Novichok agent with Russia. Did they provide such information to The Hague at all?

Clearly, Britain doesn't care about the OPCW experts' findings. What matters for London is to involve the OPCW into its outrageous accusations against Russia and use openly unscrupulous methods to associate the name of this organisation with the results of the corresponding investigations conducted by military chemists from Porton Down. That is, to have the OPCW approve unsubstantiated accusations.

We will continue to use facts to counter the anti-Russian hysteria around the Skripal case. It is regrettable that the OPCW Technical Secretariat, wittingly or

unwittingly, is being drawn into the unscrupulous political game played by Britain and its allies, who do not care about the Convention.

We have previously stated on several occasions: there is nothing in the CWC that would require the Technical Secretariat to assist a member state in confirming the results of its national investigation. Strictly speaking, assistance is provided to those participating states that need it to fulfil their obligations under the Convention that are primarily related to destroying stockpiles of chemical weapons. Normally, these countries have no corresponding equipment or specialists. The British, as far as we know, have both in ample supply. The Porton Down laboratory is exactly the place that works with the substance referred to as Novichok in the West.

According to the CWC, a consultation procedure is used whenever a member state has questions for another member state. It can be conducted either directly in a bilateral format, or with the assistance of the Technical Secretariat and the OPCW Executive Council. We made relevant proposals to the British on many occasions, but they rejected them. Well, that's the choice of London.

We remind everyone of the futility of attempts to juggle the Convention provisions or to pile up groundless accusations. London must return to the legal framework of this document.

In the near future, we will again submit to the international community the background material pertaining to that matter. We will do so in The Hague and New York. We are confident that Britain's attempts to find excuses for more attacks against us sooner or later will be brought to a stop.

Annex IV to the letter dated 6 September 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English and Russian]

Comment by Foreign Ministry Spokesperson Maria Zakharova on the recent statements by British officials regarding the incidents in Salisbury and Amesbury

The British officials are once again focusing their attention on Russia's alleged involvement in the incidents in Salisbury and Amesbury, following a scenario that has become familiar to everyone. Without any documentary support or trustworthy testimonials, they have declared that there is sufficient evidence to bring charges against two Russian nationals and published photos of the two men whose actual nationality is still to be confirmed.

These steps follow the same pattern over and over. Russia receives unsubstantiated accusations while the accuser also declares its emphatic refusal to have any contact in order to establish the truth. Instead, we hear ridiculous demands that we clarify a situation that has nothing to do with us, as we have repeatedly stressed.

We cannot but notice that both British and American colleagues are following the same scenario. Not troubling themselves with producing any substantial evidence, they simply compile lists of "Russian agents" to justify, one way or another, the witch hunt started by London and Washington.

Our requests for a joint investigation and legal assistance in the criminal case opened by Russian law enforcement agencies on the attempted murder of a Russian national in the United Kingdom continue to be ignored. Moreover, we can clearly see London's reluctance to cooperate in establishing the truth.

One thing is clear: the so-called Skripal case instigated by the British officials is being brought to a deadlock on purpose. Instead of carrying out a genuinely independent, objective and transparent investigation into the Salisbury and Amesbury incidents, London stubbornly uses the anti-Russian speakerphone diplomacy and continues the propaganda show in the spirit of the notorious "highly likely".